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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Angola,* Argentina, Austria, Belgium,* Bolivia (Plurinational State of),* Bosnia and Herzegovina,* Costa Rica, Côte d'Ivoire, Croatia,* Cuba, Cyprus,* Denmark,* Ecuador,* Egypt,* El Salvador,* Estonia, Finland,* France, Germany, Greece,* Honduras,* Hungary,* Ireland, Italy, Latvia,* Lithuania,* Luxembourg,* Mexico, Montenegro, Mozambique,* Netherlands,* Norway,* Panama,* Paraguay,* Peru, Portugal,* Romania, Slovakia,* Slovenia,* Spain,* State of Palestine*, Switzerland,* the former Yugoslav Republic of Macedonia, Timor-Leste,* Tunisia,* Uruguay,* Venezuela (Bolivarian Republic of), Viet Nam: draft resolution

25/... Question of the realization in all countries of economic, social and cultural rights

The Human Rights Council,

Guided by the principles of economic, social and cultural rights enshrined in international human rights instruments, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling that the Vienna Declaration and Programme of Action, the 2005 World Summit Outcome and General Assembly resolution 60/251 of 15 March 2006, in which the Assembly established the Human Rights Council, all affirm that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis, and recalling also that the promotion and protection of one category of rights should never exempt States from the promotion and protection of the other rights,

Recalling also the United Nations Millennium Declaration, in which the Heads of State and Government affirmed their commitment to spare no effort to promote democracy and strengthen the rule of law, as well as respect for all internationally recognized human rights and fundamental freedoms, including the right to development,

* Non-member State of the Human Rights Council.

Recalling further its resolutions on the question of the realization in all countries of economic, social and cultural rights, and the resolutions adopted by the Commission on Human Rights on the same topic,

Reaffirming the obligations and commitments to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources, with a view to achieving progressively the full realization of economic, social and cultural rights by all appropriate means, including particularly the adoption of legislative measures,

Recognizing that the entry into force of, inter alia, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, on 5 May 2013, is a step forward in strengthening the promotion and protection of economic, social and cultural rights worldwide,

Underlining the imperative need to accelerate efforts towards the achievement of the Millennium Development Goals, and recognizing the crucial importance of giving due consideration to the realization of economic, social and cultural rights in the elaboration of the post-2015 development agenda,

Underlining also the human rights principles of, inter alia, non-discrimination, human dignity, equity, equality, universality and participation, as affirmed in international human rights law and in the Vienna Declaration and Programme of Action, and emphasizing that the rights enunciated in the International Covenant on Economic, Social and Cultural Rights are to be realized in a non-discriminatory manner,

1. *Calls upon* all States to give full effect to economic, social and cultural rights by, inter alia, taking all appropriate measures to implement Human Rights Council resolutions on the question of the realization in all countries of economic, social and cultural rights, the most recent of which is resolution 22/5 of 21 March 2013;

2. *Calls upon* all States that have not yet signed and ratified the International Covenant on Economic, Social and Cultural Rights to consider doing so, and calls upon States parties to consider reviewing their reservations thereto;

3. *Welcomes* the entry into force of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights on 5 May 2013 and the fact that 12 States have become parties to the Optional Protocol, as well as that 45 have signed it, and encourages all States that have not yet signed and ratified the Optional Protocol to consider doing so and also to consider making declarations under articles 10 and 11;

4. *Takes note with appreciation* of the report of the Secretary-General on the question of the realization in all countries of economic, social and cultural rights,[1] with a special focus on access to justice relating to violations of economic, social and cultural rights, submitted pursuant to Human Rights Council resolution 22/5, and of the recommendations contained therein;

5. *Underlines* the importance of an effective remedy for violations of economic, social and cultural rights and, in this regard, of judicial, quasi-judicial and other appropriate remedies, accessible on an individual or, as appropriate, collective basis, and of adequate procedures to avoid infringements of such rights;

6. *Encourages* States to ensure that effective judicial, quasi-judicial and other appropriate remedies for violations of economic, social and cultural rights are accessible to

[1] A/HRC/25/31.

everyone without discrimination, including such aspects as physical accessibility, affordability, access to information, equality of access and necessary legal assistance;

7. *Calls upon* States to ensure due process in remedies relating to economic, social and cultural rights;

8. *Welcomes* the steps taken at the national level to implement economic, social and cultural rights, including the enactment of appropriate legislation and adjudication by national courts;

9. *Reiterates* that respect for and the promotion and protection of human rights are an integral part of effective work towards achieving internationally agreed development goals, including the Millennium Development Goals, and emphasizes the central role of the United Nations in enhancing global partnerships for development with a view to creating a supportive global environment for the attainment of the Millennium Development Goals, as well as the importance of giving due consideration to equality, social protection and accountability in the context of the realization of economic, social and cultural rights in the elaboration of the post-2015 development agenda;

10. *Underlines* the importance of the joint United Nations Social Protection Floor Initiative for the realization of economic, social and cultural rights and, in this regard, acknowledges the adoption by the International Labour Conference of recommendation No. 202 (2012) concerning national floors of social protection;

11. *Notes with interest* the work carried out by the Committee on Economic, Social and Cultural Rights to assist States parties in fulfilling their obligations, including through the submission of general comments and the consideration of periodic reports;

12. *Also notes with interest* the work of other relevant treaty bodies and special procedures in the promotion and protection of economic, social and cultural rights within their respective mandates;

13. *Encourages* enhanced cooperation and, as appropriate, increased coordination between the Committee on Economic, Social and Cultural Rights and United Nations bodies, specialized agencies and programmes, mechanisms of the Human Rights Council and other human rights treaty bodies whose activities have a bearing on economic, social and cultural rights, in a manner that respects their distinctive mandates and promotes their policies, programmes and projects;

14. *Recognizes and encourages* the important contributions of regional organizations, national human rights institutions and civil society, including non-governmental organizations and academic and research institutions, to the question of the realization and enjoyment of economic, social and cultural rights;

15. *Welcomes* the activities carried out by the Office of the United Nations High Commissioner for Human Rights on the promotion of economic, social and cultural rights, mainly through technical cooperation, the work of its field offices, its relevant reports to United Nations bodies, the development of in-house expertise, including on human rights indicators, and its publications and studies on related issues;

16. *Requests* the Secretary-General to continue to prepare and submit to the Human Rights Council an annual report on the question of the realization in all countries of economic, social and cultural rights under agenda item 3, with a special focus on the importance of social protection floors for the realization of economic, social and cultural rights;

17. *Decides* to remain seized of this issue and to consider taking further action in order to implement the present resolution.